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5 UNITED STATES DISTRICT COURT

6 DISTRICT OF NEVADA

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8 SANFORD TUCKER, individually, and as
9 Special Administrator of the Estate of KEITH
10 TUCKER; SANFORD TUCKER, as Guardian
ad Litem of FRANS KAI MAAN TUCKER, a
minor,

11 Plaintiffs,

12 v.

13 LAS VEGAS METROPOLITAN POLICE
14 DEPARTMENT; OFFICER PATRICK
15 DENNY, in his individual and official capacity;
16 OFFICER MARK HUTCHISON, in his
17 individual and official capacity; SHERIFF
BILL YOUNG, individually and in his official
capacity; DOES I through X, DOES XI through
XX; and ROE CORPORATIONS XXI through
XXX, inclusive,

18 Defendants.

2:05-cv-01216-LDG-RJJ

ORDER

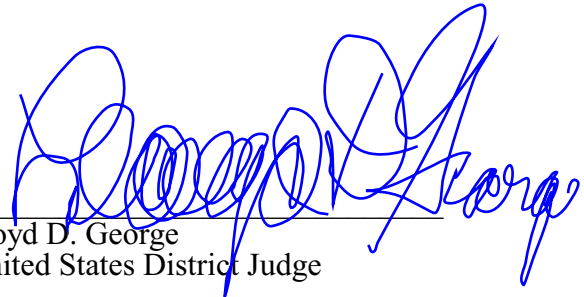
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20 Defendants have filed a motion in limine re: photographs of the decedent (#153, opposition
21 #175). Judges have broad discretion when ruling on motions in limine, see, e.g., Jenkins v.
22 Chrysler Motors Corp., 316 F.3d 663, 664 (7th Cir. 2002), and a district court's ruling on a motion
23 in limine is subject to change, particularly in light of developing trial considerations. See Luce v
24 United States, 469 U.S. 38, 41-42 (1984).

25 Defendants argue that the coroner took 128 pictures of the unclothed body of decedent
26 during their investigation of the death, including autopsy photos. Defendants argue that these

1 photos are disturbing and pose a substantial risk of inflaming the jury. Plaintiffs maintain that the
2 photographs are relevant to (1) the issue of credibility and veracity of the officers' story about what
3 occurred during the altercation, (2) the reasonableness of the officers' force applied to decedent,
4 and the officers' motives for the force applied after decedent was handcuffed, and the cause of
5 death of decedent. Plaintiff further assert that the photos will corroborate the opinion of the
6 medical examiner and medical experts that decedent succumbed to asphyxiation, especially in
7 view of defendants' apparent dispute with the medical examiner regarding the cause of death.
8 The court has not reviewed the photographs, and finds that it would be more balanced to make the
9 determination of their relevance and admissibility during the presentation of the related testimony
10 at trial or after the court has reviewed the photographs in relation to plaintiffs' arguments or
11 presentations. Accordingly,

12 THE COURT HEREBY ORDERS that defendants' motion in limine re: photographs of
13 the decedent (#153) is DENIED without prejudice.

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15 DATED this 30 day of October, 2012.

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Lloyd D. George
United States District Judge